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(Price)

S.B. No. 1695

A BILL TO BE ENTITLED

AN ACT

relating to mosquito control districts established for an urgent public health purpose.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 344, Health and Safety Code, is amended by designating Sections 344.001 through 344.007 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. ESTABLISHMENT, OPERATION, AND DISSOLUTION OF
MOSQUITO CONTROL DISTRICTS

SECTION 2. Chapter 344, Health and Safety Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ESTABLISHMENT OF MOSQUITO CONTROL DISTRICTS FOR
URGENT PUBLIC HEALTH PURPOSE

Sec. 344.051. DEFINITION. In this subchapter, "department" means the Department of State Health Services.

Sec. 344.052. LEGISLATIVE FINDINGS. The legislature finds that:

(1) scientists have concluded the Zika virus is a cause for microcephaly and other severe fetal brain defects;

(2) the department has reported that counties in the Gulf Coast region and on the international border with Mexico are at the highest risk in this state of developing localized cases of the Zika virus;

(3) Cameron County, which is located on the

1 international border with Mexico, has had as of December 2016 at
2 least five documented cases of locally transmitted Zika virus;

3 (4) the powers of a mosquito control district may be
4 effective in combating the increased risk of transmission of the
5 Zika virus; and

6 (5) there is an urgent public health purpose for
7 establishing a mosquito control district in Cameron and Hidalgo
8 Counties and other high-risk counties to contain, eradicate, and
9 treat problems associated with communicable diseases, including
10 the Zika virus, the dengue virus, and the chikungunya virus, that
11 are carried by mosquitoes.

12 Sec. 344.053. APPLICABILITY OF SUBCHAPTER. This subchapter
13 applies only to a county located on the international border with
14 Mexico:

15 (1) for which the department has documented a locally
16 transmitted case of the Zika virus; or

17 (2) that is adjacent to a county described by
18 Subdivision (1).

19 Sec. 344.054. ESTABLISHMENT. A county described by Section
20 344.053 may establish an urgent public health mosquito control
21 district on issuance of an order by the county judge or
22 commissioners court of the county stating that an urgent public
23 health purpose requires establishment of the district and ordering
24 an election under Section [344.001](#).

25 Sec. 344.055. DUTIES OF COUNTY ESTABLISHING DISTRICT. A
26 county that establishes an urgent public health mosquito control
27 district under this subchapter shall:

1 (1) conduct surveillance of vectors carrying
2 communicable disease;

3 (2) address the capacity of the county public health
4 infrastructure, including by:

5 (A) establishing and operating communicable
6 disease and illness identification laboratories;

7 (B) training and hiring public health personnel
8 and research fellows;

9 (C) matching state, federal, and private
10 initiatives and efforts aimed at addressing and mitigating health
11 and environmental conditions that contribute to the breeding,
12 development, and spread of vectors carrying communicable disease;

13 (D) testing county residents for communicable
14 diseases and providing medical treatment to county residents who
15 have communicable diseases; and

16 (E) funding prevention measures and initiatives
17 to protect county residents from vectors carrying communicable
18 disease; and

19 (3) address the prevention and spread of vectors
20 carrying communicable disease by funding efforts to inform people
21 about the prevention and spread through community campaigns and
22 regional information efforts.

23 Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE.

24 (a) In this section, "committee" means the special public health
25 advisory committee established under this section.

26 (b) Notwithstanding Section 344.004, the commissioners
27 court of a county that establishes an urgent public health mosquito

1 control district under this subchapter shall establish a special
2 public health advisory committee.

3 (c) The commissioners court shall appoint seven members to
4 the committee as follows:

5 (1) one member who is the county public health
6 administrator;

7 (2) three members who are public health administrators
8 at the executive director level in the most populated
9 municipalities in the county; and

10 (3) three members who are property taxpaying voters of
11 the county.

12 (d) The commissioner of state health services shall appoint
13 one delegate to serve as a nonvoting, ex officio member of the
14 committee.

15 (e) The county judge shall designate one committee member
16 appointed under Subsection (c) as the presiding officer of the
17 committee. The committee meets at the call of the presiding
18 officer.

19 (f) A committee member serves without compensation.

20 (g) A committee member must take an oath of office
21 prescribed by the commissioners court.

22 (h) The committee shall:

23 (1) make written recommendations to the commissioners
24 court that the committee considers necessary to:

25 (A) address the urgent public health purpose of
26 the mosquito control district established under this subchapter;
27 and

1 (B) implement the district's duties; and
2 (2) perform any other duty assigned to the committee
3 by the commissioners court.

4 Sec. 344.057. MOSQUITO CONTROL PERSONNEL. The
5 commissioners court of a county that establishes an urgent public
6 health mosquito control district under this subchapter may appoint:

7 (1) a mosquito control engineer as provided by Section
8 344.005; or

9 (2) any other public health professional the
10 commissioners court determines is necessary to carry out the duties
11 of the district and to address the recommendations of the special
12 public health advisory committee established under Section
13 344.056.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.